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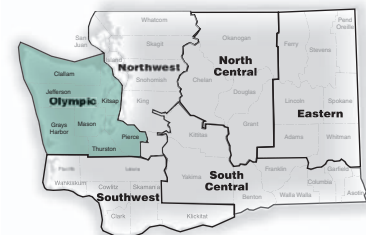E-mail: pierceb@wsdot.wa.gov

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Washington State Department of Transportation

Local Agency Guidelines (LAG) Manual

June 2005

An agency accepts significant obligations when it requests and receives federal highway funds. This folio is a brief summary of some of the requirements from the *Local Agency Guidelines (LAG) Manual* for WSDOT's subrecipients (agencies) to follow when using Federal Highway Administration (FHWA) funding.

What does the *LAG Manual* provide and why do we have it?

- Provides guidance on authorizing and administering FHWA funded projects.

Local Agency Guidelines

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How are the projects selected and processed prior to authorization of federal funds?

- Funds granted and administered through FHWA programs are **reimbursable**. The agency must pay for the project up front, and are then reimbursed through a billing procedure.

- The project must be listed in the Statewide Transportation Improvement Program (STIP) before it may be authorized.

  - The agency must in nearly all cases provide non-federal funds to match the federal funds. The non-federal match **amount** varies by program up to 13.5 percent.

  - The agency must provide specific documentation **BEFORE** funds may be authorized and expended, including a Project Prospectus (21), a Local Agency Agreement (22), and other documents depending on the type of project.

What requirements have to be performed prior to the authorization of Construction funds?

Environmental

The agency must perform an environmental analysis on the project. The level of analysis will depend on the project, and may range from the relatively simple documentation of a Categorical Exclusion (CE), to an Environmental Assessment (EA), or perhaps a full Environmental Impact Statement (EIS). Along with these requirements, a Biological Assessment (BA) and Section 106 (Historical/Archaeological Analysis) is required on all projects. FHWA reserves approval of all environmental documents.

An Environmental Classification Summary (ECS) is the primary tool for evaluating the level of environmental processes involved in a project.

Rights of Way

The agency is required to follow very specific processes, i.e., fair market values, negotiations for compensation and relocations of occupants, under both state and federal law for purchasing of rights of way if the project cannot be constructed inside existing, properly documented rights of way limits. Proper plans must be prepared; environmental clearances completed; appraisals by qualified experts are required, followed by a properly presented offer at fair market value; negotiations for compensation; and finally relocation of occupants if required. These processes must be followed carefully, and proper certifications completed, prior to construction authorization.
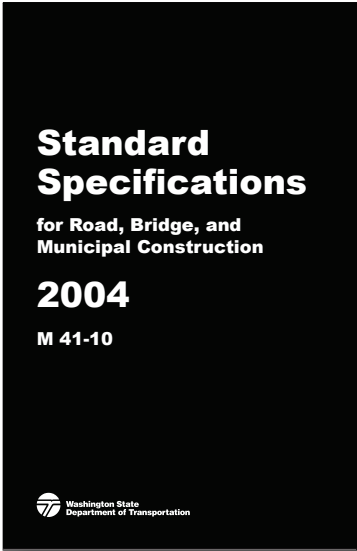
Consultant Selection

Projects must be designed by appropriate design professionals such as architects or engineers. Agencies who choose to use consultants must select them following state and federal laws that require consultants to be selected on the basis of qualifications first, followed with a negotiated contract amount. There are specific processes and requirements to follow in the selection processes. If a local agency elects to retain the consultant at its own cost, not using federal funds, only state law must be followed, however, state and federal laws for consultant selection are very similar.

Project Design

The agency must follow a specific process for approval of the location and design of the project. The agency must design the project utilizing the standards established by the City and County Design Standards Committee in accordance with RCW 35.78 and 43.32.
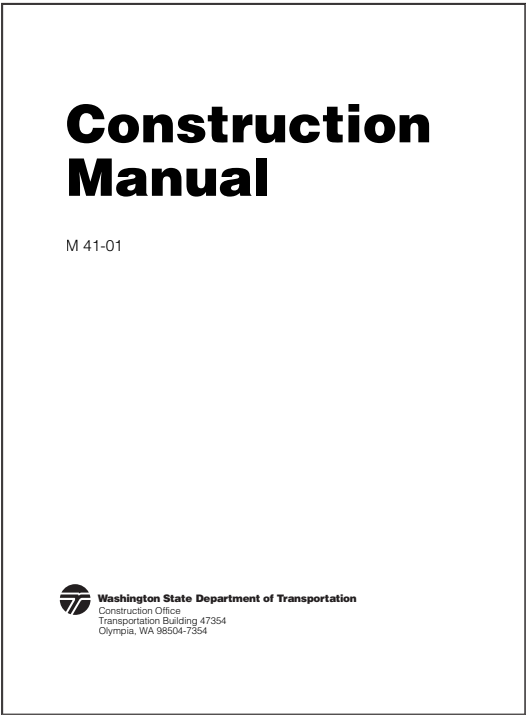
- **Plans, Specifications, and Estimates**

  Contract plans and specifications must conform with a specific set of Standard Specifications with a limited allowance for special provisions, and must have project cost estimates prepared in a specific manner. This phase will also address the federal requirements involved with the Disadvantaged Business Enterprise (DBE) program, Equal Employment Opportunity (EEO), and Title VI programs and the federal prevailing wages.

Standard Specifications
for Road, Bridge, and Municipal Construction

2004

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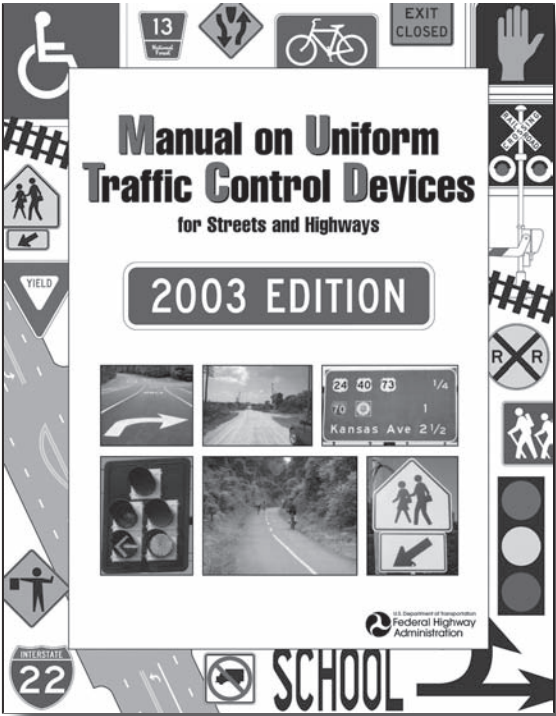
Washington State Department of Transportation

Project Construction

The agency must follow a specific process for monitoring construction of the project. There are requirements for a pre-construction meetings with the contractor, for quality control of the materials and products used in the project, for changes or extra work that may occur when unforeseen field conditions arise, for assuring compliance by subcontractors with federal requirements, and for the necessary documentation for completing the project and requirements the contractor must meet in accordance with the *LAG Manual* and *Construction Manual* before final payments may be made.

Construction Manual

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Project Maintenance Requirements

The agency must commit to maintenance in perpetuity of the project when it accepts federal funds. This obligation includes all aspects of the project, from pavements to environmental enhancements and roadside signing in accordance with the *Manual on Uniform Traffic Control Devices* (MUTCD).

Manual on Uniform Traffic Control Devices
for Streets and Highways

2003 EDITION

Federal Highway Administration

The Local Agency Guidelines (LAG) contain detailed information, references, and checklists for the requirements and processes outlined in this brochure. Number references at the end of the sections are to the appropriate chapter and/or section of the LAG.